IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WP(C).No. 26622 of 2007(T)

PETITIONER:

THULASI, MUTTAKULATHU HOUSE,
CHEPPAD P.O., CHEPPAD, ALAPPUZHA.

BY ADV. SRI.M.R.SASITH PANICKER
SRI.M.R.SARIN PANICKER

RESPONDENTS:

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1. MANAGER,
HOUSING DEVELOPMENT FINANCE CORPORATION LTD.,
H.D.F.C., RAVIPURAM, KOCHI-15.

2. AUTHORISED OFFICER,
HOUSING DEVELOPMENT FINANCE CORPORATION LTD.,
H.D.F.C., RAVIPURAM, KOCHI-15.

BY ADV. K.K.CHANDRAN PILLAI, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC,J.

W.P (C) No. 26622 of 2007

Dated this the 6th day of September, 2007

J U D G M E N T

The prayer in this writ petition is to direct the respondents to grant instalment facility to the petitioner to discharge the liability to the Bank. Standing Counsel appearing the respondents submit that as on 31.8.2007, the amount due from the petitioner is Rs. 4,75, 556/-.

Taking into account the submission of the learned counsel for the petitioner that she shall make an immediate payment of 40%. I direct that petitioner shall pay Rs. 2 lakhs within one month from today, and that further proceedings pursuant to Exhibit-P1 shall be kept in abeyance. Balance amount shall be paid by the petitioner in five equal monthly instalments. The first payment of Rs. 2 Lakhs shall be made on or before 5.10.2007 and the subsequent instalments shall be payable on or before the 5th of every succeeding month. If default is committed in any of the instalments, the Bank will be free to proceed against the mortgaged property.

With these directions, writ petition is disposed of.

(ANTONY DOMINIC, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007